

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOSEPH TYLER LITTLEFIELD,

Plaintiff,

V.

GERMEAU AND AMBER BATES.

Defendant.

CASE NO. 3:21-CV-5451-RAJ-DWC

**ORDER GRANTING PLAINTIFF'S
MOTION FOR AN EXTENSION OF
TIME**

This is a civil rights action brought by a *pro se* Plaintiff Joseph Littlefield, appearing *in forma pauperis*, seeking redress pursuant to 42 U.S.C. § 1983 for an alleged violation of his constitutional rights. Pending before this Court is Plaintiff's Motion seeking an extension of time to file a Motion for Reconsideration, Dkt. 22.

On November 8, 2021, this Court entered a Report and Recommendation (Dkt. 21) recommending GRANTING Defendants' Motion to Dismiss (Dkt. 13) with prejudice, GRANTING Plaintiff's Motion for and Extension of the Deadline to Submit Response (Dkt. 15), and DENYING as moot Plaintiff's Motion to Amend (to correct the spelling of) Defendant (Germeau's) Name (Dkt. 18). Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties had fourteen (14)

1 days from service of the Report and Recommendation (or until November 26, 2021) to file
2 written objections. *See also* Fed. R. Civ. P. 6. Neither party filed objections.

3 According to Plaintiff, he was unable to timely file objections because he did not even
4 receive notification of the Report and Recommendation until December 1, 2021. Dkt. 22 at 2.
5 He therefore requests an extension of time to file an objection “Pursuant to Fed. R. Civ. P.
6 72(b).” Dkt. 22 at 3.

7 Given the conflict between the title of the motion at bar (“Motion for Reconsideration”)
8 and Plaintiff’s reference to filing “objections” and citation to the rule permitting a party to file
9 objections to Findings and Recommendations, the Court is unsure exactly what document
10 Plaintiff wishes to file. If Plaintiff wishes to file a Motion for Reconsideration pursuant to Local
11 Civil Rule 7(h), he may do so by February 2, 2022. If, instead, Plaintiff wishes to file objections
12 to the Report and Recommendation pursuant to Fed. R. Civ. P. 72(b), he may do so by February
13 2, 2022. At this time, the Clerk is directed to re-note the Report and Recommendation to
14 February 2, 2022. However, if Plaintiff files a Motion for Reconsideration the Court will re-note
15 the Report and Recommendation to February 16, 2022.

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17 Dated this 14th day of January, 2022.

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22 David W. Christel
23 United States Magistrate Judge
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